

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

981 MISCELLANEOUS CIVIL APPLICATION NO. 326 OF 2022

NAMRATA PRAVIN DHAHATONDE
VERSUS
PRAVIN CHANDRAKANT DHAHATONDE

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Mr. S.B. Kadu – Advocate for Applicant

Ms. K.A. Sethiya h/f. Mr. A.S. Radikar – Advocate for
Respondent

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 16th June, 2023

PER COURT :

1. Leave to correct prayer clause 'B' by inserting the words
Family Court, Aurangabad instead of C.J.S.D. Court,
Aurangabad, is granted.

2. Heard rival submissions

3. The applicant – wife is seeking transfer of Hindu
Marriage Petition No. 204 of 2022 filed by respondent –
husband for getting divorce to the Family Court, Aurangabad
from the Court of Civil Judge Senior Division, Ambajogai.

4. According to the applicant – wife, she is not having any

independent source of income and she had filed one proceeding under Protection of Women from Domestic Violence Act, which was allowed wherein the respondent – husband had already appeared.

5. The learned counsel for respondent – husband strongly oppose the application on the ground that, the respondent is ready to conveyance charges, if the applicant has to attend the dates at Ambajogai. However, she admits that the respondent – husband has filed appeal in the Court of Sessions Judge, Aurangabad against the order passed in favour of applicant in the proceeding under Protection of Women from Domestic Violence Act and the same is pending. She also submits that, the applicant wife need not to attend each and every date at Ambajogai. However, the same fact is applicable to the respondent – husband also. Therefore, considering all these aspects alongwith the convenience of applicant – wife following order is passed :-

ORDER

- (i) The application is hereby allowed.
- (ii) Hindu Marriage Petition No. 204 of 2022

pending in the Court of Civil Judge Senior Division, Ambajogai is transferred to the Family Court at Aurangabad for disposal according to law.

- (iii) The respondent is directed to appear before the Family Court, Aurangabad on or before 1st July, 2023.
- (iv) He will be at liberty to seek convenient dates for this petition as well as appeal filed by him in Sessions Court, Aurangabad.
- (v) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE